

### REMARKS/ARGUMENTS

This Amendment is in response to the Office Action mailed August 30, 2006. Claims 26-51 were pending in the present application. This Amendment amends claims 26-29 and 41, without adding or canceling any claims, leaving pending in the application claims 26-51. Reconsideration of the rejected claims is respectfully requested.

#### **I. Rejection under §101**

Claims 26-29 are rejected under 35 U.S.C. §101 as being directed to non-statutory subject matter. Although Applicants do not necessarily agree with the rejection, these claims have been amended to recite a program product embedded in a computer readable medium in order to advance prosecution of the claims, and as such should constitute statutory subject matter. Applicants therefore respectfully request that the rejection with respect to these claims be withdrawn.

#### **II. Rejection under 35 U.S.C. §103**

Claims 26-51 are rejected under 35 U.S.C. §103(a) as being obvious over *Kahn* (US 6,401,079) in view of *Swart* (US 6,347,306). Applicants respectfully submit that these references do not teach or suggest each element of these claims.

For example, Applicants' claim 26 as amended recites a program product for processing time data and expense data, comprising:

interconnectivity software operational when executed by a processor to direct the processor to:

receive the time data into a program module,  
receive the expense data into the program module,  
store the time data received from the program module and the expense data received from the program module in a central time and expenses database, the **time and expenses database being a single access point for a plurality of independent software applications;**  
**create a first file of a first format compatible with a payroll system,** the first file including the time data from the time and expenses database, and transfer the first file to the payroll system using a first interface, the payroll system including a payroll software application configured to process the time data; and  
**create a second file of a second format compatible with an accounts payable software application,** the second file including the expense data from the time and expenses database, and transfer the second file to the accounts payable system using a second interface, the

accounts payable system including an accounts payable software application configured to process the expense data; and  
a software storage medium operational to store the interconnectivity software

(*emphasis added*). Such limitations are neither taught nor suggested by these references.

For example, *Kahn* teaches a complete, Web-based system that "combines the flexibility and functionality with a standalone payroll system with the convenience of a payroll service" (col. 11, lines 26-33). An application server coordinates and controls a variety of applications that comprise the systems' features and functionality, and communicates with a plurality of data collections (col. 11, lines 42-58). These applications are part of the complete system, and there is no teaching or suggestion that these applications are independent software applications having different data formats. Further, there is no teaching or suggestion that the system of *Kahn* can act as a single point of access for independent software applications having different data formats, or can create files in different formats that can be passed to these independent applications through distinct interfaces. Since *Kahn* teaches an overall system, there would be no motivation to include formatting modules to communicate with external and independent applications that might have different formats. The embodiment of claim 26 presents a single point of access that allows a single database to be used with different applications that require different data formats. This is very different from the overall system of *Kahn*.

*Swart* does not make up for the deficiencies in *Kahn*. *Swart* teaches the use of a universal format understandable by payroll processing systems (col. 6, lines 41-53). There is no teaching or suggestion of converting data to a format that is specific to an independent application, or converting data to a format that is specific to an accounts payable system. There also is no teaching or suggestion of converting data to specific formats for separate, independent applications, particularly applications of different types. The use of a single, universal format that will work with a number of payroll applications is not the same as the translation of data into a number of different formats that are each specific to the independent application receiving the data, particularly where those applications are of different types. Even further still, since *Kahn* teaches an overall system that does not utilize disparate formats, even if there were motivation to combine *Swart* with *Kahn*, the combination of the universal format of *Swart* with the complete system of *Kahn* still would not teach, suggest, or arrive at a single point of entry for disparate

applications that each require a different format, and may be of different types, and provide the necessary translations and interfaces for each of these applications. As such, claim 26 and the claims that depend therefrom cannot be rendered obvious by *Kahn* and *Swart*, either individually or in combination. Independent claims 30 and 41 contain limitations that similarly are neither taught nor suggested by *Kahn* and *Swart*, such that claims 30 and 41, and dependent claims 31-40 and 42-51, also cannot be rendered obvious by these references. Applicants therefore respectfully request that the rejection with respect to claims 26-51 be withdrawn.

### **III. Amendment to the Claims**

Unless otherwise specified, amendments to the claims are made for purposes of clarity, and are not intended to alter the scope of the claims or limit any equivalents thereof. The amendments are supported by the specification and do not add new matter.

### **CONCLUSION**

In view of the foregoing, Applicants believe all claims now pending in this Application are in condition for allowance. The issuance of a formal Notice of Allowance at an early date is respectfully requested.

If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at 925-472-5000.

Respectfully submitted,



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